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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/789,213	02/27/2004	Doyle E. Cherry	Cherry-001	9133
21897	7590	06/27/2005		
THE MATTHEWS FIRM 2000 BERING DRIVE SUITE 700 HOUSTON, TX 77057			EXAMINER MEISLIN, DEBRA S	
			ART UNIT	PAPER NUMBER
			3723	

DATE MAILED: 06/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

1. This application contains claims directed to the following patentably distinct species of the claimed invention:

- a. The species of a concave v-shaped jaw,
- b. The species of a concave radiused jaw with no axial cut, and having a radius of curvature smaller than the tubular being gripped,
- c. The species of a concave radiused jaw with no axial cut, and having a radius of curvature larger than the tubular being gripped,
- d. The species of a concave radiused jaw with an axial cut, and
- e. The species of a convex jaw.

Once applicant has elected one of the above species, then applicant must further elect between:

- f. The species of a metallic overlay that engages the tubular, and
- g. The species of a non-metallic overlay that engages the tubular.

Consequently, applicant must elect one of species a-e **and** one of species f-g.

Applicant is required under 35 U.S.C. 121 to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. Currently, claim 28 appears to be generic.

Applicant is advised that a **reply** to this requirement **must include an identification of the species that is elected** consonant with this requirement, **and a listing of all claims readable thereon, including any claims subsequently added.**

An argument that a claim is allowable or that all claims are generic is considered nonresponsive unless accompanied by an election.

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species. MPEP § 809.02(a).

Should applicant traverse on the ground that the species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the species to be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the inventions unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C. 103(a) of the other invention.

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Debra S. Meislin whose telephone number is 571 272-4487. The examiner can normally be reached on M-F, alt. Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Hail can be reached on 571 272-4485. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should

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you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read 'Debra S Meislin', with a long horizontal flourish extending to the right.

Debra S Meislin
Primary Examiner
Art Unit 3723

June 22, 2005